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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/495,005
Filing Date	January 31, 2000
First Named Inventor	Christopher R. Cleare
Art Unit	3763
Examiner Name	Roz Ghafoorian
Attorney Docket Number	GYN-032

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

### a. Previously submitted

- i.  Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unwanted amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_

### b. Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

## 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b.  Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1218

- i.  RCE fee required under 37 CFR 1.17(e)
- ii.  Extension of time fee (37 CFR 1.136 and 1.17) \$110.00
- iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Paul F. Swift	Registration No. (Attorney/Agent)	34,938
Signature	<i>Paul F. Swift</i>	Date	4/29/03

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Peter J. O'Connor	Date	April 29, 2003
Signature	<i>Peter J. O'Connor</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESSES: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
Christopher R. Clare

U.S. Application No.  
09/495,005

Filing Date  
January 31, 2000

For: SURGICAL FLUID MANAGEMENT  
SYSTEM WITH SUCTION CONTROL

May 20, 2003

Facsimile No.: 703-746-7763

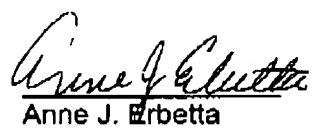
Commissioner of Patents  
and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

Date of Deposit: May 20, 2003

I hereby certify that the enclosed Letter to Examiner Ghafoorian  
with a copy of Request for Continued Examination Transmittal are being  
transmitted via facsimile to 703-746-7763 on the date indicated above.



Anne J. Erbetta  
Anne J. Erbetta

**SELITTO, BEHR & KIM**  
 A PROFESSIONAL CORPORATION  
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May 20, 2003

OF COUNSEL

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**VIA FACSIMILE NO.**  
 (703) 746-7763

Commissioner of Patents and Trademarks  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Attention: Dr. Roz Ghafoorian

Re: U.S. Serial No. 09/495,005  
 SURGICAL FLUID MANAGEMENT  
 SYSTEM WITH SUCTION CONTROL  
 Our Ref.: J&J 3.0-014  
 Your Ref.: GYN-032

Dear Dr. Ghafoorian:

What follows in the fax is the RCE Transmittal, that was previously sent.  
 Please give me a call if this is not adequate. Thanks for your help.

Respectfully,

SELITTO, BEHR & KIM

*Paul Swift* 34,938  
 By: Paul F. Swift  
 (732) 744-1001 (Ext. 11)

PFS/roc  
 enc.

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**FACSIMILE TRANSMISSION**

Date: May 20, 2003

Time: 3:15 p.m.

To: Dr. Roz Ghafoorian

From: Paul F. Swift, Esq.

Facsimile No. (703) 746-7763

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Transmitting 4 pages including cover sheet. If you have any problems receiving this transmission, please call (732) 744-1001.

\*

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